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U.S. Department of Justice

Civil Division

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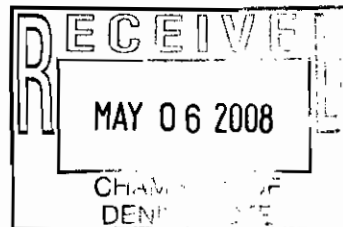
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May 5, 2008

By Overnight Delivery

MEMO ENDORSED

Hon. Denise L. Cote
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Suite 1040
New York, New York 10007



Re: *Wilner, et al. v. National Security Agency, et al.*, 07-cv-3883-DLC

Dear Judge Cote:

I write respectfully on behalf of defendants, the National Security Agency and the United States Department of Justice (the "Government"), in the above-referenced action to request permission to exceed by the Court's 25 page limit for memoranda of law in relation to the Government's motion for summary judgment. In this Freedom of Information Act case, because of the scope of the issues, the Government's brief will include, among other things, a discussion of the manner in which the Government processed plaintiffs' FOIA request including a defense of the search conducted as well as a discussion of ten FOIA exemptions covering the records of eight components as well as a discussion of the significant national security interests by the Director of National Intelligence. Because these discussions are, of necessity, somewhat lengthy, and in light of the weighty issues presented by this case, the Government requests permission to file a brief not to exceed 66 pages. I have endeavored to consolidate sections where possible and otherwise limit discussion only to necessary topics. Plaintiffs take no position on this request.

I thank the Court for its consideration of this request and regret that it has been sent to the Court simultaneously with the Government's filing, which was an inadvertent oversight on my part. I apologize if I have caused the Court any inconvenience.

Granted.

Denise Cote
May 6, 2008

Respectfully,

Alexander K. Haas

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cc: Counsel for Plaintiffs (by electronic delivery)